

### **REMARKS**

The present Amendment amends claim 19 and leaves claims 20-23 unchanged. Therefore, the present application has pending claims 19-23.

Claims 19-23 stand rejected under 35 USC §102(e) as being anticipated by Otterness (U.S. Patent No. 6,460,122). This rejection is traversed for the following reasons. Applicants submit that the features of the present invention as now more clearly recited in claims 19-23 are not taught or suggested by Otterness whether taken individually or in combination with any of the other references of record. Therefore, Applicants respectfully request the Examiner to reconsider and withdraw this rejection.

Amendments were made to the claims so as to more clearly describe that in the present invention when a first disk controller of a first cluster receives from a host computer each write request which requests writing of updated data for updating data stored in disk drives of a second disk controller of a second cluster, the first disk controller checks whether data to be updated by the update data is stored in the cache memory of the second disk controller, and if the data to be updated is not stored in the cache memory of the second disk controller, the first disk controller always sends the write request to the second disk controller via the communication path without regard to the data stored in the cache memory of the first cluster.

Thus, by use of the present invention even if a failure occurs in the first disk controller, it is possible to prevent the failure from being propagated to a second disk

controller without regard to data stored in the cache memory of the first disk controller.

The above described features of the present invention now more clearly recited in the claims are not taught or suggested by any of the references of record whether taken individually or in combination with each other. Particularly, the above described features of the present invention are not taught or suggested by Otterness.

Otterness discloses, for example, in Figs. 9-11 that a disk controller A which receives a write request from a host computer checks whether the write requested data is stored in a cache memory belonging to the disk controller A. If the write requested data is stored in the cache memory of the disk controller A, then the data should be updated in the cache memory of the disk controller A. Further, as taught by Otterness, if the write requested data is not stored in the cache memory of the disk controller A, the write request is sent to the disk controller B which has a cache memory that stores the write requested data. Thus, as per Otterness, when the write requested data is stored in the cache memory in the disk controller A, even if the data should be stored in the disk controller B, the data is updated in the cache memory in the disk controller A. Attention is directed to col. 6, lines 11-42 of Otterness. Therefore, as per Otterness, if the disk controller A has a failure, then the data which should be stored in the cache memory of the disk controller B is lost since it is first stored in the cache memory of the disk controller A.

The present invention as clearly recited in the claims overcomes the teachings of Otterness being that the first disk controller of the first cluster sends the

write request to the second disk controller of the second cluster so that the write requested data is stored in the cache memory of the second disk controller without regard to the data being stored in the cache memory of the first disk controller.

These features of the present invention now more clearly recited in the claims are not taught or suggested by Otterness.

Thus, Otterness fails to teach or suggest that when a first disk controller of a first cluster receives from a host computer each write request which requests writing of updated data for updating data stored in disk drives of a second disk controller of a second cluster, the first disk controller checks whether data to be updated by the updated data is stored in the cache memory of the second disk controller and if the data to be updated is not stored in the cache memory of the second disk controller, the first disk controller always sends the write request to the second disk controller via the communication path without regard to data stored in the cache memory of the first disk controller as recited in the claims.

Therefore, reconsideration and withdrawal of the 35 USC §102(e) rejection of claims 19-23 as being anticipated by Otterness is respectfully requested.

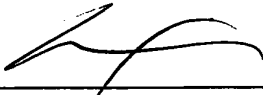
The remaining references of record have been studied. Applicants submit that they do not supply any of the deficiencies noted above with respect to the reference utilized in the rejection of claims 19-23.

In view of the foregoing amendments and remarks, applicants submit that claims 19-23 are in condition for allowance. Accordingly, early allowance of claims 19-23 is respectfully requested.

To the extent necessary, the applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of MATTINGLY, STANGER & MALUR, P.C., Deposit Account No. 50-1417 (520.39648X00).

Respectfully submitted,

MATTINGLY, STANGER & MALUR, P.C.



---

Carl I. Brundidge  
Registration No. 29,621

CIB/jdc  
(703) 684-1120